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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/725,456

12/03/2003

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501.36105CC2

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7590

03/20/2006

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EXAMINER

NATNAEL, PAULOS M

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/725,456

Applicant(s)

TAKASHIMIZU ET AL.

Examiner

Paulos M. Natnael

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-26, 28-33, 35-40, 42 and 43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-26, 28, 30-33, 35, 37-40 and 42 is/are rejected.
- 7) ☒ Claim(s) 29, 36, and 43 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/24/06, 12/3/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims **24-26,28-33,35,37-40,42 and 43** **have** been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims **24-26,30-33** and **37-40** are rejected under 35 U.S.C. 102(e) as being anticipated by **Limberg, U.S. 6,061,096**.

Considering claim **24**, Limberg discloses digital-and-analog-TV-signal receivers, each with single first detector and shared high-band I-F amplification. The system of Limberg is used for receiving DTV signals, in accordance with the Advanced Television System Committee (ATSC) standard, or analog TV, in accordance with the National Television

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Systems Committee (NTSC) standard, each use a single first detector for both types of signal. (See Abstract of disclosure) Limberg discloses the tuner/receiver portion as shown in figures 1-8. And in figure 9, Limberg discloses a processing portion comprising MPEG2 decoder 50, display controller 57, video source selector 51, Luma/chroma separation 80, color circuitry 81, and video scan buffer 62, as well as color matrix 72. (See fig.9 and col. 12, line 58 to col. 14, line 40.) Thus, Limberg discloses all claimed subject matter.

Regarding claim **25**, Limberg discloses video source selection 51, fig.9;

Regarding claim **26**, Limberg discloses DAC converters 69-71 and color matrix 72 which output analog video signal to the display device. See also disclosure on col. 13, lines 54-64.

Regarding claim **30 and 37**, see rejection of claim 24.

Regarding claim **31**, see rejection of claim 24 and the display device 76 in fig.9.

Regarding claim **32 and 39**, see rejection of claim 25;

Regarding claim **33 and 40**, see rejection of claim 26;

Regarding claim **38**, see rejection of claims 24.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims **28, 35, and 42** are rejected under 35 U.S.C. 103(a) as being unpatentable over Limberg, U.S. Pat. No. **6,061,096**.

Considering claim **28, 35 and 42**, Limberg does not specifically disclose a character unit for adding character information. However, such units, a.k.a. character generators, are notoriously well known in the art and it would have been therefore obvious to the skilled in the art at the time the invention was to modify the system of Limberg by providing a character generator in order to be able to add characters such as a channel number etc., for the viewer to be able to see desired characters on the screen.

6. Claims **24,26, 31, 33, 38 and 40** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski et al. U.S. Patent No. 5,400,401 in view of Gove et al., U.S. Patent No. 5,796,442.

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Considering claims 24, 31 and 38, Wasilewski et al. (hereinafter, "Wasilewski") discloses a transmitting a plurality of digital services and receiving the same.

Wasilewski discloses a Set-top Box Decoder 280 (fig.15) that receives the multiplexed signal from DBS or Cable input, decodes and outputs the selected signal to the display 306; discloses receiving and processing analog video format, such as NTSC and PAL.

Furthermore, Wasilewski on col. 26, lines 3-32 teaches:

"Because of the flexibility provided by the method of the present invention, namely the use of a multiplex map to define the contents of each field on a per field basis, the system of the present invention is capable of carrying HDTV format signals as well. Recall that an HD select field (see FIG. 11) is provided in the multiplex map for indicating whether a given field is carrying an HDTV service. FIG. 27 shows in detail the general arrangement and contents of a field of the multiplex data stream for carrying a Zenith/AT&T DSC format HDTV signal. HDTV formats naturally require a higher data rate than normal NTSC video data, and therefore, only one HDTV service can be carried in a single multiplex data stream. Because only one service is being transmitted, the number and types of data packets in the transport layer of each field can be reduced. As shown in FIG. 2, when the Zenith/AT&T DSC-HDTV format is being carried, the transport layer may comprise a maximum of five lines of each field after the VSYNC word. Other HDTV formats may alter the amount of lines that can be used for transport layer information." [Emphasis added]

As to the claimed "wherein the processor decodes the subject video signal based on the standard definition format when the format of the received signal is formatted according to the standard definition format, and decodes the subject video signal based on the high definition format when the format of the received signal is formatted according to the high definition format", it is clearly implied in the disclosure of Wasilewski. Nevertheless, it would be obvious those with ordinary skill in the television art that further processing the received television signal would be dependent on the broadcast format of the received signal. In this regard, Gove et al. ("Gove") teaches a multi-format television receiver that is capable receiving and processing an image of 16:9 aspect ratio. In particular, Gove teaches "television image is produced by receiving a television broadcast signal having a broadcast format, determining the broadcast format of the television broadcast signal, selectively processing the received television broadcast signal, the processing being dependent on the broadcast format of the received television broadcast signal, and displaying the processed broadcast signal on a display device." (col. 2, lines 31-39) It would have been therefore obvious to the skilled in the art at the time the invention was made to modify the system of Wasilewski by providing the method of determining and processing the output signal depending on the received broadcast signal, so that the correct, desired signal is output to the display monitor.

Regarding claims **26**, **33**, and **40**, Wasilewski discloses processor 302, fig. 15;

Allowable Subject Matter

7. Claims **29, 36, and 43** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to disclose a format-outputter to convey in real-time the type of format of the video signal being outputted from the receiver or processor unit to the display, as in claims 29, 36, and 43.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571) 272-7354. The examiner can normally be reached on 9am - 5:30pmn.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571)272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paulos M. Natnael
Primary Examiner
Art Unit 2614

March 9, 2006